

meaning whatsoever – it can only be given a meaning that is consistent with the specification.

Merely placing copies of information on a replacement server, as in Staheli, is not hiding the information because locating the copies is trivial. By contrast, “The invention hides copies of sensitive information in networks to prevent destruction of every copy, and discloses the information in a specified way if specified conditions occur.” Application at page 5 lines 15-17. Placing copies on a replacement server will not prevent destruction of the copies because they are not truly hidden – their location and number are known and they are merely inaccessible until the server is switched back on. This is not the case with information hidden according to the invention. As explained in the application:

During the message storing step 202, the invention hides copies of the sensitive information in the network 100 by creating copies of the message and transmitting them in various guises to various locations in the network 100. In some cases, an information provider may know the location of at least some of the copies, but in general the information provider does not know in detail how and where the message copies are stored; in embodiments which allow the information provider to delete stored copies, the system locates the copies. The number of copies made may vary, even by several orders of magnitude, with at least 10 or at least 100 or at least 1000 made in various cases. The number of copies made is not necessarily revealed to the information provider.
Application at page 14 lines 1-9.

Moreover, the purpose of a replacement server such as in Staheli is to mirror the data on the primary server. Staheli Abstract. Even if the replacement server is inactive, the Office Action does not presume that the primary server is also inactive. So the messages stored on the primary server are – by the Examiner’s own argument – not hidden. The existence of the replacement server is not an uncertainty or a secret, and the relationship between the primary and replacement servers is well understood. Accordingly, someone of skill who was trying to locate and alter or destroy all copies of a message would be able to leverage access to the primary server to readily enumerate and locate the replacement copies of the message on the replacement server(s). Thus, the messages are not hidden, even under the Examiner’s asserted definition of that term.

Conclusion

For at least the reasons noted here, the rejections should be withdrawn. To keep this response short and focused but nonetheless address all rejected claims, observations and arguments that might have been presented are not included, both as to particular assertions about the new art and the dependent claims, and as to the propriety of the new combinations. It is not necessary to address those points here, because the rejections rely yet again on the incorrect assertion that Staheli teaches hiding – it does not teach hiding. Applicant's silence here with respect to particular statements by the Office does not indicate agreement or acquiescence.

Applicant respectfully requests that all claims be allowed. If any questions might be answered by telephone, the undersigned invites a call at the Examiner's convenience.

Dated May 27, 2004.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage paid, on May 27, 2004 addressed to Commissioner for Patents, Mail Stop Non-Fee Amendment, P.O. Box 1450, Alexandria, VA 22313-1450:

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Response

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